

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ERIC V. HOLMES,

1:05-cv-00588-AWI-LJO-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 11)

vs.

S. SHERMAN, WARDEN, et al.,

**ORDER DENYING MOTION FOR
PRELIMINARY INJUNCTIVE RELIEF**
(Doc. 9)

Defendants.

Plaintiff Eric V. Holmes ("plaintiff"), a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On September 19, 2005, the Magistrate Judge filed a Findings and Recommendations herein which was served on plaintiff and which contained notice to plaintiff that any objections to the Findings and Recommendations were to be filed within thirty (30) days. To date, plaintiff has not filed objections to the Magistrate Judge's Findings and Recommendations.

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1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed September 19,
8 2005, is ADOPTED IN FULL; and,

9 2. Plaintiff's motion for preliminary injunctive relief,
10 filed June 22, 2005, is DENIED, without prejudice.

11
12 IT IS SO ORDERED.

13 **Dated: November 9, 2005**
14 0m8i78

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE